

Department of Permitting and Inspections

Zoning Division
645 Pine Street
Burlington, VT 05401
www.burlingtonvt.gov/pz
Phone: (802) 865-7188
Fax: (802) 865-7195

*William Ward, Director
Scott Gustin, AICP, CFM, Principal Planner
Mary O'Neil, AICP, Principal Planner
Ryan Morrison, Associate Planner
Layne Darfler, Planning Technician
Alison Davis, Zoning Clerk
Theodore Miles, Zoning Specialist
Charlene Orton, DPI Administrator*



MEMORANDUM

To: The Design Advisory Board
From: Ryan Morrison, Associate Planner
RE: ZP21-0396CA; 217-219 North Winooski Ave
Date: November 10, 2020

File: ZP21-0396CA
Location: 217-219 North Winooski Ave
Zone: NMU **Ward:** 2C
Parking District: Multi Modal Mixed-Use
Date application accepted: October 13, 2020
Applicant/ Owner: Steven Schenker / Jade Age, LLC
Request: Construct a new 3-unit apartment building and associated site work.

Background:

- **ZP14-0186CA;** replacement windows. August 2013.
- **ZP16-0830CA;** replacement windows. February 2016.
- **ZP19-0247CA;** convert 3-unit building to a 4-unit building; delineate and formalize 4-space parking area. September 2018.

Overview: 217-219 North Winooski Ave currently contains a four-unit multifamily building and 4 surface parking spaces. The existing building is on the State Register of Historic Structures and Sites. No alterations are proposed to the existing building. The applicant proposes a second principal structure in the form of a three story multifamily building consisting of 3 residential units. The ground level will have open-air parking for five vehicles, and an access point for the upper story residential units.

Part 1: Land Division Design Standards

No land division is proposed. Not applicable.

Part 2: Site Plan Design Standards

Sec. 6.2.2 Review Standards

(a) Protection of Important Natural Features:

There are no important natural features at this location.

(b) Topographical Alterations:

There are no topographical alterations proposed. The property is relatively flat.

(c) Protection of Important Public Views:

Not applicable. There are no important public views on and around the property.

(d) Protection of Important Cultural Resources:

Not applicable. While the existing 4-unit multifamily building is listed on the State Register of Historic Structures and Sites, no alterations to this building are proposed.

(e) Supporting the Use of Renewable Energy Resources:

No part of the application will preclude the use of wind, water, solar, geothermal or other renewable energy resource.

(f) Brownfield Sites:

Not applicable. The property is not listed as a Brownfield Site.

(g) Provide for nature's events:

Special attention shall be accorded to stormwater runoff so that neighboring properties and/or the public stormwater drainage system are not adversely affected. All development and site disturbance shall follow applicable city and state erosion and stormwater management guidelines in accordance with the requirements of Art 5, Sec 5.5.3.

The applicant will be required to submit an Erosion Prevention and Sediment Control plan and a stormwater plan to the Stormwater Program Manager for review and approval.

Design features which address the effects of rain, snow, and ice at building entrances, and to provisions for snow and ice removal or storage from circulation areas shall also be incorporated.

The ground level open-air parking area also includes an internal stair access to the upper residential units. This access within the parking area is entirely sheltered from the elements as it is underneath the upper stories.

(h) Building Location and Orientation:

Neighboring structures along Decatur Street vary between 2 story, 2 ½ story and 3 story buildings. Most rooflines are gabled, however the neighboring 2 story structure immediately behind the proposed structure has a flat roof. The proposed building will have a similar alignment to the street frontage with neighboring structures. This section calls out for buildings within a mixed-use area (which this property is) to provide sufficient space (optimally 12-15 feet) between the curblin and the building face to facilitate the flow of pedestrian traffic. There is approx. 12 ft between the proposed face of the building and the street curb and a sidewalk in between.

Principal buildings shall have their main entrance facing and clearly identifiable from the public street.

The proposed building will be the second principal building on the property. It's main and only entrance is located in the middle of the ground level parking area, between parking spaces, and is not clearly identifiable from the public street. The proposed parking layout does not allow for

such an access to locate at the front face of the structure, and thus compliance with this requirement will not be met. The applicant has provided a drawing showing how the main entrance can be seen from the public street. However, the only way to see it is from a specific vantage point from the public street, looking between the existing 4-plex building and the proposed structure, and then past two parking spaces. The proposed main entrance does not meet the intention of this requirement and the applicant should revise the plans to meet this requirement, which could likely mean considerable changes to the layout of the building overall.

(i) Vehicular Access:

The proposal includes shifting the curb cut off Decatur Street 8 ft to accommodate the footprint of the new building. This access is the only vehicular access to the property and will serve both buildings. The plans indicate 5 parking spaces at the ground level of the new structure and 2 spaces to the side of the existing four-plex. Internally, there will be approx. 20 ft of driveway width to maneuver vehicles.

(j) Pedestrian Access:

The proposal does not include a direct and unobstructed pedestrian path between the primary building entrance and the public sidewalk. In order to access the building, pedestrians will have to utilize the driveway and walk behind two parking spaces to access the new building. This does not conform with the requirement to provide a physical separation between pedestrians and vehicles.

(k) Accessibility for the Handicapped:

The building inspector has jurisdiction over ADA requirements. By his direction and per Chapter 8 of the Burlington Code of Ordinances, 4 to 14 units must provide 1 accessible unit.

(l) Parking and Circulation:

Seven on site parking spaces are illustrated on the site plan, with an internal driveway width of approx. 20 ft. As part of the Multi-modal multi-use parking district, there are no longer any minimum parking requirements, however the proposal includes on-site parking.

(m) Landscaping and Fences

The proposal includes landscaping along the rear (NW) side of the new building, in the form of a row of 4' tall arborvitae trees. These trees can grow well above 10 ft in height and provide a thick screen provided they are planted close enough to each other. The plans indicate that they will be planted at 3 ft off center. No new fencing is proposed.

(n) Public Plazas and Open Space:

There is no requirement within the ordinance to provide a public plaza. Some lawn space can be found fronting North Winooski Ave., adjacent to the existing 4-unit building that can provide some outdoor enjoyment.

(o) Outdoor Lighting:

Where exterior lighting is proposed the applicant shall meet the lighting performance standards as per Sec 5.5.2.

Recessed downlights are proposed in the ceiling above the ground level parking spaces. The plans do not indicate any exterior lighting.

(p) Integrate infrastructure into the design:

Exterior storage areas, machinery and equipment installations, service and loading areas, utility meters and structures, mailboxes, and similar accessory structures shall utilize setbacks, plantings, enclosures and other mitigation or screening methods to minimize their auditory and visual impact on the public street and neighboring properties to the extent practicable.

Utility and service enclosures and screening shall be coordinated with the design of the principal building, and should be grouped in a service court away from public view. On-site utilities shall be placed underground whenever practicable. Trash and recycling bins and dumpsters shall be located, within preferably, or behind buildings, enclosed on all four (4) sides to prevent blowing trash, and screened from public view.

Any development involving the installation of machinery or equipment which emits heat, vapor, fumes, vibration, or noise shall minimize, insofar as practicable, any adverse impact on neighboring properties and the environment pursuant to the requirements of Article 5, Part 4 Performance Standards.

Three rooftop condenser units are proposed. A small garbage/recycling enclosure is shown on the site plan along the back side of the existing structure. Due to the small size and the potential 7 residential units, it is suspected that additional garbage/recycling facilities will be needed. Other mechanical units and utility meters are not included in the plans and need to be if they are to be placed outside or on the exterior of the new structure.

Part 3: Architectural Design Standards

Sec. 6.3.2 Review Standards

(a) Relate development to its environment:

1. Massing, Height and Scale:

While the mass of the proposed building is not out of character with neighboring structures, its height is a full story above the neighboring 2-story residential structure. Given the proximity of the new structure to the northwest property line, it will tower over the neighboring structure and back yard. It should be noted, however, that there is a 3-story multifamily building two properties away to the northwest.

2. Roofs and Rooflines.

Most structures along Decatur Street have gabled roofs, however the building next door has a flat roof, similar to the proposed structure's roof. The proposal also includes metal railings on the roofline.

3. Building Openings

The upper two stories of the proposed structure will have a consistent window pattern on three sides. The plans indicate no window openings on the southwest side of the building. And as

mentioned above, there is no clearly identifiable principal entrance. The ground floor facing the interior of the property will be open for vehicular access.

(b) Protection of Important Architectural Resources:

Not applicable. This proposal is for a new structure, and the existing historic residential building on the property will not be altered.

(c) Protection of Important Public Views:

Not applicable. There are no important public views on and around the property.

(d) Provide an active and inviting street edge:

Building facades shall be varied along the street edge by the integration of architectural features, building materials, or physical step-backs of the façade along its length. ..This may be accomplished by incorporating fenestration patterns, bays, horizontal and vertical façade articulations, the rhythm of openings and prominent architectural features such as porches, patios, bays, articulated bases, stepping back an elevation relative to surrounding structures, and other street level details. The use of traditional façade components such as parapet caps, cornices, storefronts, awnings, canopies, transoms, kick plates, and recessed entries are highly encouraged. In areas where high volumes of pedestrian traffic are desired, the use of architectural recesses and articulations at the street level are particularly important in order to facilitate the flow of pedestrian traffic.

The proposal includes a street side façade with the symmetrical placement of upper story windows. The second and third stories project outward in a southeast manner past the ground level parking area wall, thus creating a slight visual break from one large front façade. It should be noted that the multifamily structure two properties down Decatur Street has a similar street edge, in that there is no principal pedestrian entry on the front façade and the front wall contains second and third floor windows. That structure also has ground level parking.

(e) Quality of materials:

All development shall maximize the use of highly durable building materials that extend the life cycle of the building, and reduce maintenance, waste, and environmental impacts. Such materials are particularly important in certain highly trafficked locations such as along major streets, sidewalks, loading areas, and driveways. Efforts to incorporate the use of recycled content materials and building materials and products that are extracted and/or manufactured within the region are highly encouraged.

The proposal calls for fiber-cement panel siding and wood/fiberglass windows throughout. These materials are common in new construction and are durable.

(f) Reduce energy utilization:

All new construction is required to meet the Guidelines for Energy Conservation, Section 8 of the City of Burlington Code of Ordinances.

(g) Make advertising features complementary to the site:

Any signs will require separate permitting.

(h) Integrate infrastructure into the building design:

See Section 6.2.2 (p), above.

(i) Make spaces secure and safe:

Spaces shall be designed to facilitate building evacuation, accessibility by fire, police or other emergency personnel and equipment, and, to the extent feasible, provide for adequate and secure visibility for persons using and observing such spaces. Building entrances/entry points shall be visible and adequately lit.

New construction shall conform to all building and life safety code as defined by the building inspector and the fire marshal.

Items for the Board's consideration:

1. The lack of a clearly identifiable main entrance on the front wall facing Decatur Street does not conform to this requirement in Sec. 6.2.2 (h). The applicant argues that the main entrance, albeit placed in the middle of the ground level parking, is visible from the street, and demonstrates this with an illustration showing the range of visibility as viewed from the Decatur Street. This swath of visibility to the entrance is limited by the existing four-plex building and the new building, and two parking spaces. Does the Board agree that the proposed location of the main and only entrance to the building is clearly identifiable from the public street?
2. Similarly, there is no direct pedestrian access between the public sidewalk and main entrance. Pedestrians must utilize the driveway and cross behind two parking spaces in order to reach the main entrance. This is in contrast to what is required by Sec. 6.2.2 (j). There needs to be a safe pedestrian path between the public sidewalk and the main entrance. Does the Board concur?
3. As noted in Sec. 6.3.2 (a) (1) above, the proposed building will be a full story taller than the adjacent structure and may likely infringe upon sunlight access to the neighboring lot. However, it will comply with the 35 ft height limitation.
4. Should windows be added to the southwest side of the building, on the upper two stories to break up the monotony of a blank wall facing the neighboring residential property? On both upper floors, this would equate to one additional bedroom window.
5. Consideration for additional garbage/recycling bins.
6. Consideration of exterior mechanical units, utility meters, light fixtures. There is a mechanical closet identified next to the ground floor entrance. If additional exterior mechanical units, utility meters, and/or light fixtures are proposed, they will need to be identified on the plans.